



CALPEEK

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P.O. BOX 1468, BEVERLY HILLS, CA 90213 (310)659-0205 FAX(310)657-4340
Dick Rosengarten, Publisher E-Mail: calpeek@aol.com

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RESCUE CALIF. JOINS SAVE OUR LICENSE IN DRIVE TO REFERENDUM SB 60. EFFORT IS ON THE STREET

Editor's note: Sources expect one of the first things to happen on Nov. 18th when the CA Legislature goes back into special session is a move to repeal SB 60 – the law authored by State Sen. Gil Cedillo(D-L.A.) to allow non-citizens to get Calif. drivers licenses with TINs. Gov. Gray Davis(D) signed the bill into law, but new Gov. Arnold Schwarzenegger(R) opposes it and wants it repealed ASAP. Here's our analysis & commentary...

...Now that Rescue Calif. (U.S. Rep. Darrell Issa's group formed during the recall) has joined forces with Save Our License, there's little doubt those who want to referendum SB 60 have the ability to qualify by the Dec. 7th deadline. Sources say that between the two groups they've collected more than 300,000 signatures and there's still a month left before deadline time. To qualify, the referendum needs 373,816 valid names. In reality, the effort really needs 550,000 + to insure a spot on the March primary ballot...

...Once again, Rescue Calif. is using the petition circulating services of Tom Bater. His team is circulating in the Central Valley, San Diego and Orange Co. Funding for the street effort came to Rescue Calif. from auto dealer Fritz Hitchcock, who owns 6-7 dealerships in So. Calif. Sources say he put up \$100,000...

...But sources for Rescue Calif. say they'll probably stop collecting the signatures IF the Legislature acts quickly to repeal SB 60. "There's just be no reason to continue if the law is repealed," this source told Calpeek. Would Save Our License do the same? Our sources think they'll continue, even if SB 60 is repealed. Question: what happens if the Legislature repeals SB 60, but the referendum still qualifies? Would CA SOS Kevin Shelley have to put the referendum on the ballot anyway???

...As for Sen. Cedillo, he's trying to get Gov. Arnold to agree with a mend it, don't end it approach. Some sources were hoping that Demo AG Bill Lockyer might be useful as the "go to guy" with Gov. Arnold, but for obvious reasons that's not going to happen now. There's a grow-

ing number of Demos who also *favor* a repeal of SB 60. Among them, State Sen. Mike Machado(D-Linden) and Assemblywoman Gloria Negret-McLeod(D-Ontario). Are Machado and McLeod *hand wringing bed wetters*, worried about voters next year? If so, then why did they vote for SB 60 in the first place???

...Still there are other Demo sources who are really furious with the Latino legislative leadership for jamming SB 60 on Gov. Davis. Under normal circumstances Davis would have again vetoed SB 60, but faced with the Oct. 7th recall, he couldn't. Source believe his signing of SB 60 was one of the chief reasons why voters gave him the boot...

...FYI: The Pacific Legal Foundation has filed a lawsuit asking a State Appeals Court to overturn the law. The big question is whether the AG's office will defend SB 60? Some think it's possible that Lockyer's DOJ may take a pass on this lawsuit. If the court tosses SB 60, end of story, no referendum and no wedge issue. Stay tuned...

WITH HUGE AGENDA AND NO TIME FOR NONSENSE, GROPEGATE IS LAST THING GOV. ARNOLD NEEDED.

Editor's note: It's Nov. 17th and it's now Gov. Arnold Schwarzenegger – no longer Gov.-elect. There's a huge budget and fiscal problem facing Calif.'s new CEO; there's the repeal of SB 60; there's workers comp reform; and there's the sticky question of rescinding the VLF hike. And yet there's another round of this groping story which seems to be grabbing the headlines. Here's our commentary and analysis...

...Calpeek has read with interest a number of the stories written about the dust-up between Gov. Arnold and Demo AG Bill Lockyer over the groping allegations which surfaced during the Oct. 7th recall. No reason to rehash the whole thing again, except to say that recently Arnold and Lockyer had a private conversation about the allegations, where the AG again warned the governor-elect about the problem. But at a news conference the next day, Lockyer was asked about the groping and he gave a response which he had given before – only this time the AG said he had met with Schwarzenegger and advised him that the allegat-

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ions were **not** going away...

...There's much to be said on both side. Lockyer has a habit of speaking his mind, regardless of the consequences, but this time he should have been more reserved. However, Gov. Arnold's response was over the top. And because of that, this nothing 12-hour story became front page news and the whole issue of *Gropegate* is back again. And Schwarzenegger's disclosure that he'll hire a P/I to probe the allegations was all but laughable. And L.A. Times columnist Steve Lopez is having a ball writing about this, at Gov. Arnold's expense...

...So if you're searching for an explanation about the behavior of both, the answer is that Gov. Arnold is just a little too naïve when it comes to Calif. politics, while Lockyer may have been trying to recoup from the damage caused by his earlier comments at a UC Berkeley post-recall symposium where he described Schwarzenegger's alleged behavior as *frat boy antics*. That frat boy stuff POed a lot of women. Lucky for Lockyer that as of now they're not on the warpath (for unknown reasons)...

...However, there was something in Lockyer's follow up the next day on KGO Radio that may have the supermarket tabs or Matt Drudge on the hunt. Here's what Lockyer said to Ronn Owens: *"What I know is 3rd-hand. It's not evidence admissible in trial. It's somebody came up to me and said, 'Hey, this terrible thing happened to my daughter-in-law last year'."* Lockyer says he heard about this new allegation 2 days before the recall election and yet Lockyer voted for Arnold anyway...

...FYI: sexual battery with aggravating factors, and that could include groping plus not much more, is a wobbler – meaning it can be treated as a felony or a misdemeanor. If it's punished as a felony, it could land a person in prison for up to 3 years and the person convicted would have to register as a sex offender. And the statute of limitations is 3 years, not 1 year. Stay tuned...

CALPEEK's NEW CAMPAIGN DIRECTORY ON SALE

Calpeek's 2003-04 Directory of Campaign Consultants is now on sale to subscribers only. The 60-page Directory contains more than 300 listings of consultants, campaign managers, pollsters, fundraisers, election law attorneys, FPPC-FEC specialists and slates makers. The cost is a low \$30. Checks only, no credit cards and absolutely no invoicing. Send checks to Calpeek @ P.O. Box 1468, Beverly Hills, CA 90213. Be sure to include either a businesscard or a short note with the name of the person who is receive the Directory. We'll be sending the Directory via 1st class mail. Non-subscribers should contact Calpeek (310)659-0205 to inquire about a subscription...

CAMPAIGN 2004: BOXER CONTINUES TO LEAD IN A NEW SENATE SURVEY, BUT KEEP YOUR EYES OPEN.

Editor's note: No sooner had Calpeek updated our coverage of the 2004 U.S. Senate race (Oct. 27th) in Calif. than Mer-vin Field distributed a new poll. Nothing especially shocking in the new data, but we're hearing some rumors about yet another candidate testing the waters. Here's our brief update & analysis...

...Demo U.S. Sen. Barbara Boxer is seeking a 3rd term next year at this time. She has no serious Demo rivals, but does have 3-4 GOPers who are in various stages of testing the political waters. December 5th is the final day for filling. However...

...Among those who are still exploring is former SOS Bill Jones of Fresno. In a recent story, Jones said he's put off any decision about running "until David makes up his mind." The David is U.S. Rep. David Dreier of Covina, who was Gov. Arnold Schwarzenegger's campaign chair during the recall. Dreier is very popular on the talk radio & cable tv circuit and was very high profile during the recall election. But it's unclear if he would give up his very safe seat and his key leadership post in the U.S. House to make an uncertain run against Boxer. But there is little doubt he would be a formidable opponent for Boxer if he were to run and he's sitting on a \$2 million + war chest. Our guess: Dreier stays put in the U.S. House...

...Don't look for comedian Dennis Miller to run. His name had surfaced, but he just signed a multi-year deal with CNBC to host a prime-time political talk show...

...Back to the poll. Boxer's reelect number in the new Field Poll is 45% inclined vs. 40% not inclined, with 15% no opinion. Among the Demo base, Boxer is holding firm with 71% (vs. 18% who are not inclined to reelect her). She's got 15% support from GOPers (vs. 73% who would vote to oust her). Among non-partisans (DTS, independents, others), Boxer's reelect number is 40% inclined vs. 31% not inclined. As the Field Poll noted in its summary, it's the DTS/independents who are providing Boxer with her current edge...

...Among the lesser known GOPers who are looking at '04 are former U.S. Tres. Rosario Marin; former Los Altos Mayor Toni Casey; and GOP Assembly Caucus Leader Tony Strickland. Marin, Casey and Strickland are almost all certain to run. If Dreier doesn't run and Jones does, Jones becomes the frontrunner. The new Field Poll confirm this: Jones 24%, Strickland 4%, Marin 3%, Casey 2%...

undecided 67%. With that huge undecided, the GOP primary is still up in the air...

...As for the 1-on-1 matchups with Boxer, the incumbent Demo defeats all her GOP rivals: Boxer 48% vs. Jones 34%; Boxer 50% vs. Strickland 28%; Boxer 50% vs. Marin 27%; and Boxer 49% vs. Casey 26%...

...FYI: Boxer just released the names of **164** Latino leaders who have endorsed her for reelection. On the list are L.A. and S.F. City Attys. Rocky Delgadillo and Dennis Herrera; San Jose Mayor Ron Gonzales; and tons of local elected Latino/Latina leaders; members of the CA Legislature and members of the Calif. Demo congressional delegation. Among the names is that of Huntington Park Councilman Ric Loya. He's from Marin's hometown. Stay tuned...

CAMPAIGN 2004: CALIFORNIA INITIATIVE UPDATE.

Editor's note: A better headline would be *Calif. Referendum Update*, as this week we'll focus on the referendums to repeal SB 2 (Sen. John Burton's healthcare law) and AB 205 (Assemblywoman Jackie Goldberg's expanded domestic partnership law). Here's our analysis & update...

● ***SB 2 Referendum*** – The official name of the committee seeking to overturn SB 2 is Californians Against Govt. Run Healthcare (CAGRHR). Frank Schubert of Schubert Public Affairs is the cmp. mgr. and his former partner, Richard Claussen (GC Strategic Advocacy) is the deputy mgr. Voter Consumer Research will handle the polling and Livingston & Mattesich will handle the legal work. The website is www.stopthehealthtax.org...

...The deadline for submitting 373,816 signatures is Jan. 4th but to insure this referendum makes the March primary ballot the committee will be turning in petitions in late November. CAGRHR has hired Arno Political Consultants and Nat'l Petition Management to handle the paid/street effort...

...Key members of the coalition fighting to overturn SB 2 include the Calif. Chamber of Commerce, the Calif. Restaurant Assn., the California Taxpayers Assn., the Calif. Retailers Assn. and the Calif. Business Properties Assn....

...No word yet on what Burton and his supporters will do to fight the referendum, but anti-SB 2 sources are sure of one thing: this bill would have been vetoed by outgoing Gov. Gray Davis(D) had there been no recall. Like SB 60, sources say Davis was jammed...

● ***AB 205 Referendum*** – Our sources say that the key sponsor, State Sen. Pete Knight(R-Palmdale) does not have the funding to qualify this referendum and instead will take his case against AB 205 to court through a legal challenge. There may be another reason for going down this path: some sources say Knight and his allies recently did some focus groups and the results were not especially favorable to their point of view. Voters don't like same sex marriage at all, but expanded domestic partnership doesn't seem to present a problem. Stay tuned...

CAMPAIGN 2004: UPDATE ON LEGISLATIVE RACES.

Editor's note: Here is *Part XXVIII* in our continuing series of updates about key U.S. House and CA Legislative primary contests...

...FYI: the CA Secretary of State's website now has a candidate status report – which lists the names and districts of each individual who has filed a declaration of intent to run next year for legislative seats. Declarations of intent closed on Nov. 5th and the nominating period runs from Nov. 10th to Dec. 5th (5 days longer where the incumbent is not seeking reelection and is not termed out). Note of caution: this list isn't totally accurate because in some cases the various County Registrars haven't supplied all the necessary info. This is especially true of San Diego...

...Nevertheless, the status report gives a good overview of what's taking place in Calif. Legislative races. In the odd numbered State Senate primaries, there are no incumbents with free rides. In the 39th SD (San Diego) it looked as though Assemblywoman Chris Kehoe(D) might have a free ride, but indeed GOPer Larry Stirling has filed to run for this open SD...

...In the Assembly, the report shows the following as having *no major general election opponents*: Dario Frommer (D-43); Ray Haynes(R-66); Mark Wyland(R-74); George Plescia(R-75); Jay La Suer(R-77) and Juan Vargas(D-79). The status report does not list a Demo as running against Shirley Horton(R-78), but that's incorrect, as Chula Vista Councilwoman Patty Davis(D) is running...

...There are some incumbents who face *primary challenges*: Barbara Matthews(D-17); Steve Samuelian(R-29); Keith Richman(R-38); Lloyd Levine(D-40); and Jerome Horton(D-51)...

☒ ***3rd CD Update*** – A new twist in this open CD currently held by U.S. Rep. Doug Ose(R-Sacto), who is retiring at the end of his term. Ose's sister, businesswoman

Mary Ose, is testing the waters. Sources confirm that she has indeed done some polling (sources say it was GOP pollster Bob Moore). Can't image that moderate GOP Congressman Ose is thrilled with the two choices now facing Republican primary voters: Dan Lungren and State Sen. Rico Oller, both hardline conservatives. Lungren, who recently hired JohnsonClark as his consulting firm, picked up endorsements from U.S. Reps. David Dreier, Ken Calvert, Elton Gallegly & Gary Miller. He also won an endorsement from Amador Co. DA Todd Riebe...

☒ **47th AD Update** – We've got more polling data on this hot Demo primary. Last week *Calpeek* ran some new polling data which showed former L.A. Councilman Nate Holden leading the field in this battle to replace Assembly Speaker Herb Wesson. The Fairbank Maslin poll showed Holden with 31%, activist Karen Bass with 9%, attorney Rickey Ivie at 5%; college prof Richard Groper at 3%, with 52% don't know. Now that *Calpeek* has all the data, we can report that after a series of pro and con push questions, the contest tightens up: Holden 23%, Bass 22%, Ivie 17%, Groper 3% (no change there) and undecided 34%. Who paid for the poll? Don't know, but our guess is Wesson. FYI: Holden just received the endorsement of the CSEA...

CALPEEK'S INFOBAHN: POLITICAL SHORT TAKES.

Editor's note: Here are a few items, political & otherwise, worth noting...

■ **Sports & Politics** – They make strange bedfellows, especially in Sacramento, where a \$538 million deal to construct a new downtown sports arena for the NBA *Kings* fell apart recently – amid tons of finger pointing. Sacto Mayor Heather Fargo didn't have the votes on the council for the financial plan – and downtown business interests didn't like being stuck with a \$287 million check. And who is right in the middle? If you said Demo political consultant and lobbyist Richie Ross, you win the prize. Not only is Ross the consultant for the *Kings* owners – the super rich Maloof family, but 4 years ago he was Fargo's campaign consultant too. And during that campaign one of Fargo's key issues was a new downtown arena for the *Kings*. How much were the Maloofs going to put up in this deal? No one knows. How much would taxpayers have to kick in? No one knows. And that's the problem. There were too many unanswered questions. Will this mess cause problems for Mayor Fargo next year when she faces voters? It could, except that at this point she doesn't face a challenge. Bottomline: the 240-acre site is at the old So. Pacific rail yard, just north of downtown. Problem is this property is surrounded and thus access could require as many as 3

new bridges. And there's the environmental cleanup. By the time all the "extras" are added in, this deal could cost more than \$1 billion. Would voters go for such a deal? Our sources says NO...

■ **L.A. Co. DA Cooley Could Face Nick Pacheco** – Don't know if one would consider former L.A. Councilman Nick Pacheco a serious rival, but before being elected to the L.A. City Council, Pacheco was a prosecutor. He'd likely get an endorsement from some fellow Demos, but the best guess is that the L.A. Co. Federation of Labor would take a pass. Demos have been searching for a candidate to take on Steve Cooley and were hoping that L.A. Councilman Jack Weiss might run, but he said no thanks. A Denise Beryl Moehlman has also filed papers...

CALPEEK'S NEW JOBS AND PERSONNEL NOTICES.

Editor's note: Here are some items to mark down in your notebook...

- A sad note: Ted C. Wills, 91, the former mayor of Fresno from 1969-77, died Nov. 9th. R.I.P...
- Margita Thompson, who has recently worked in the WH as press secretary to Mrs. Cheney and in 2002 was in the Riordan campaign, has been hired as Gov. Arnold Schwarzenegger's press secretary. Very savvy...
- Donna Lucas, partner and leader of Porter Novelli's nationwide p/a practice, has joined Gov.-elect Arnold Schwarzenegger's transition team. She will return to P-N after the inauguration...

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